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Attorneys for Larry D. Simons,
Chapter 7 Trustee

FILED & ENTERED

NOV 15 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY craig DEPUTY CLERK

CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA, RIVERSIDE DIVISION

In re
BARSTOW TOWING, INC.,
Debtor.

Case No. 6:24-bk-11988-MH

Chapter 7

**ORDER GRANTING IN PART CHAPTER
7 TRUSTEE'S MOTION FOR ORDER
AUTHORIZING: (1) PAYOFF OF
EXISTING LIENS ON ESTATE
VEHICLES FROM ESTATE FUNDS;
AND (2) SURCHARGE OF
COLLATERAL PURSUANT TO 11 U.S.C.
§ 506(c)**

Hearing:

Date: November 13, 2024
Time: 11:00 a.m.
Place: Courtroom 301
United States Bankruptcy Court
3420 Twelfth Street
Riverside, CA 92501

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5 The Motion of Larry D. Simons (“Trustee”), solely in his capacity as the Chapter 7 trustee
6 for the bankruptcy estate (“Estate”) of Barstow Towing, Inc. (“Debtor”) for Order Authorizing: (1)
7 Payoff of Existing Liens on Estate Vehicles From Estate Funds; and (2) Surcharge of Collateral
8 Pursuant to 11 U.S.C. § 506(c) [Docket No. 61] (“Motion”)¹ came on for shortened time hearing on
9 November 13, 2024 at 11:00 a.m., the Honorable Mark D. Houle, United States Bankruptcy Judge,
10 presiding. Melissa Davis Lowe appeared on behalf of the Trustee, who was also present; Raffi
11 Khatchadourian appeared on behalf of secured creditor Wintrust Specialty Finance (“Wintrust”); all
12 other appearances are as stated on the record.

13 The Court, after having considered the Motion and the oppositions and arguments of counsel
14 at the hearing on the Motion, the Court finding that due and proper notice has been given to all
15 parties in interest, and based upon the Court’s findings as stated on the record, it is hereby

16 ORDERED as follows:

- 17 1. The Motion is granted in part and denied in part as set forth herein.
- 18 2. The Motion is granted with respect to the request to payoff the existing liens such
19 that the Trustee is authorized to immediately pay off the existing lienholders on the Encumbered
20 Vehicles from Estate funds on hand.
- 21 3. The Motion is granted with respect to the request for surcharge pursuant to 11 U.S.C.
22 § 506(c) in the total amount of \$1,750.00 per each of the following Encumbered Vehicles: (1) Lot
23 2, a 2020 International MV Car Carrier, VIN 5834; (2) Lot 5, a 2018 Vehicle: Freightliner Tow
24 Truck, VIN 4269; (3) Lot 7, a 2021 International MV Car Carrier, VIN 0689; and (4) Lot 8, 2021
25 International MV Car Carrier, VIN 4118.
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28 ¹ Capitalized terms not otherwise defined herein shall have the meaning set forth in the Motion.

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Date: November 15, 2024

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